

Notice of Allowability

Application No.

10/530,925

Examiner

Olumide T. Ajibade-Akonai

Applicant(s)

SAITOH ET AL.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/13/2006.
2. ☒ The allowed claim(s) is/are 1-5.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 01/13/2007.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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DETAILED ACTION

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 13 November 2006 has been entered.

Response to Arguments

3. Applicant's arguments, see 9-11, filed 13 November 2006, with respect to claims 1-5 have been fully considered and are persuasive. The 35 U.S.C. 103(a) of claims 1-5 has been withdrawn.

EXAMINER'S AMENDMENT

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Brad Spencer on January 30, 2007.

The application has been amended as follows:

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Claim 2: On line 1: delete "The".

On line 1: insert "A" before "mobile".

Allowable Subject Matter

5. Claims 1-5 are allowed.

The following is an examiner's statement of reasons for allowance: Regarding **claims 1 and 4**, Beutler et al (5,933,330) discloses a mobile electronic apparatus comprising: a main body having a battery chamber recessed generally in a rectangular shape in a lower portion of a back side of a casing, as opposed to a surface side having an operation unit and a display unit; a battery pack adapted to be removably contained in the battery chamber formed at a back face of the casing of the main body. The instant invention a collision avoiding unit including: protrusions into the battery chamber from the main body having generally sector-shaped ascent/descent portions formed into substantially concavely arcuate faces oriented toward the loading direction of the battery pack and suitably sector-shaped and convexly push-up portions formed into substantially convexly arcuate faces oriented toward the unloading direction of the battery pack, on inner wall faces formed on the two sides along the loading direction of the battery pack so as to form the battery chamber and near a corner portion intersecting an abutting wall face perpendicular to the inner wall faces for forming the battery chamber, wherein said protrusions into the battery chamber from the main body are disposed higher than and corresponding to a connecting terminal disposed in the battery chamber; and riding portions which are protruded from the battery pack generally in a sector shape and are formed on a back face of the battery pack

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confronting the ascent/descent portions and the push-up portions on the two widthwise sides of the battery pack and ascending/descending while sliding on the sector-shaped faces of the push-up portions so as to ride over the connecting terminal disposed in the battery chamber, wherein the riding portions of the battery pack are formed into substantially convexly arcuate faces oriented toward the unloading direction of the battery. The above novel features in combination with recited limitations of claims 1 and 4 are neither taught suggested nor made obvious by Beutler et al. Claims 3 and 5 are allowable based on their being dependent on claim 1.

Regarding **claim 2**, Beutler et al (5,933,330) discloses a mobile electronic apparatus comprising: a main body having a battery chamber recessed generally in a rectangular shape in a lower portion of a back side of a casing, as opposed to a surface side having an operation unit and a display unit; a battery pack adapted to be removably contained in the battery chamber formed at a back face of the casing of the main body. The instant invention discloses a collision avoiding unit including: generally sector-shaped ascent/descent portions and suitably shaped push-up portions which are disposed higher than and corresponding to a connecting terminal disposed in the battery chamber, on inner wall faces formed on the two sides along the loading direction of the battery pack so as to form the battery chamber and near a corner portion intersecting an abutting wall face perpendicular to the inner wall faces for forming the battery chamber; and riding portions which are formed on a back face of the battery pack confronting the ascent/descent portions and the push-up portions on the two

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widthwise sides of the battery pack and ascending/descending while sliding on the sector-shaped faces of the push-up portions so as to ride over the connecting terminal disposed in the battery chamber, wherein an area for a cleaning operation to clean outer face of the connecting terminal or a back electrode a collision avoiding unit including: generally sector-shaped ascent/descent portions and suitably shaped push-up portions which are disposed higher than and corresponding to a connecting terminal disposed in the battery chamber, on inner wall faces formed on the two sides along the loading direction of the battery pack so as to form the battery chamber and near a corner portion intersecting an abutting wall face perpendicular to the inner wall faces for forming the battery chamber; and riding portions which are formed on a back face of the battery pack confronting the ascent/descent portions and the push-up portions on the two widthwise sides of the battery pack and ascending/descending while sliding on the sector-shaped faces of the push-up portions so as to ride over the connecting terminal disposed in the battery chamber, wherein an area for a cleaning operation to clean outer face of the connecting terminal or a back electrode. The above novel features in combination with recited limitations of claim 3 are neither taught suggested nor made obvious by Beutler et al.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lee 6,829,495 discloses battery pack locking apparatus for a mobile telephone.

Register et al 5,606,594 discloses communication accessory and method of telecommunicating for a PDA.

Karl et al 5,535,437 discloses portable radio battery latch.

Satoh et al 6,763,245 discloses portable phone device.

Morita 20020160728 discloses handheld mobile phone with a detachable battery pack.

Kobayashi 6,917,824 discloses folding portable telephone capable of selectively using free stop function and one touch open function.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olumide T. Ajibade-Akonai whose telephone number is 571-272-6496. The examiner can normally be reached on M-F, 8.30p-5p.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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ERIKA A. GARY
PRIMARY EXAMINER